Attorney Docket No. 207596 DHHS Reference No. E-200-1998/0-US-02

Date: March 24, 2008

In re Application of: John W. Erickson Application No. 09/720,276 Filed: March 7, 2001

For:

Fitness Assay and Associated Methods

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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Transmitted herewith is	s a reply to office	e action in the	subject application.
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- Small entity status is claimed for this application under 37 CFR 1.27.
- Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- Other: Exhibit 1 − FDA Approval Letter.
- ☑ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
TIME EXTENSION PETITION FEE none			\$ 0.00		\$ 0.00			
subtract time e	subtract time extension fee previously paid none		(\$ 0.00)		(\$ 0.00)			
CLAIM FEE	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL	17	MINUS	66	= 0	x 25 =	\$	x 50 =	\$0.00
INDEPENDENT	1	MINUS	4	= 0	x 100 =	\$	x 200 =	\$0.00
☐ FIRST PRESENTATION OF MULTIPLE CLAIM		+ 180 =	\$	+ 360 =	\$0.00			
TOTAL AMOUNT	T TO BE CHARGE	D TO DEP	OSIT ACCOUNT		TOTAL	\$	TOTAL	\$0.00

- ☑ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
 - Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

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